

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
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Concord, MA 01742-9133

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**Examiner:** Joseph T. Woitach **Group:** 1632  
**Date:** May 25, 2004  
**Client Code:** 3028  
**Facsimile No.:** 703-872-9306  
**From:** Elizabeth W. Mata  
**Subject: Paper:** Amendment After Final Rejection Under 37 C.F.R. § 1.116;  
Petition for Extension of Time; Amendment Fee Letter  
**Docket No.:** 3028.1000-000  
**Applicants:** Guy A. Rouleau and Bernard Brais  
**Serial No.:** 09/590,211  
**Filing Date:** June 8, 2000

Number of pages including this cover sheet: 11

Please confirm receipt of facsimile: Yes X No     

**Comments:**

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EWM/kan

May 25, 2004

DOCKET NO. 3028.1000-000

Expedited Procedure under 37 C.F.R. 1.116

Examining Group 1632

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 25 2004

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Applicant: Guy A. Rouleau and Bernard Brais  
 Application No.: 09/590,211 Group: 1632  
 Filed: June 8, 2000 Examiner: J.T. Woitach  
 Confirmation No.: 9680

For: SHORT GCG EXPANSIONS IN THE PABII GENE FOR OCULOPHARYNGEAL  
 MUSCULAR DYSTROPHY AND DIAGNOSTIC THEREOF

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office:	
on <u>5/25/04</u>	<u>Kate Norris</u>
Date	Signature
_____ Kate Norris	
Typed or printed name of person signing certificate	

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment After Final Rejection Under 37 C.F.R. § 1.116 for filing in the above-identified application.

- [ ] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [ ] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

	(COL. 1)		(COL. 2)	(COL. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	17	MINUS	* 36	0
INDEP	3	MINUS	** 8	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

- \* not fewer than 20  
 \*\* not fewer than 3

SMALL ENTITY	
RATE	ADDIT FEE
X \$9	\$ 0
X \$43	\$ 0
+ \$145	\$ 0

TOTAL = \$ 0

OTHER THAN SMALL ENTITY	
RATE	ADDIT FEE
X \$18	\$ 0
X \$86	\$ 0
+ \$290	\$ 0

TOTAL = \$ 0

09/590,211

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Please charge Deposit Account No. 08-0380 for the following fees:

<input checked="" type="checkbox"/>	Petition for four month Extension of Time	\$	1480
<input type="checkbox"/>	Amendment Fee	\$	
<input type="checkbox"/>	Other Fees:		
		\$	
		\$	
	TOTAL:	\$	1480

A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$	
<input type="checkbox"/>	Amendment Fee	\$	
<input type="checkbox"/>	Other Fees:		
		\$	
		\$	
	TOTAL:	\$	0

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

By Debra M. Hogle Reg No 36,341 for  
Elizabeth W. Mata  
Registration No.: 38,236  
Telephone (978) 341-0036  
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Concord, Massachusetts 01742-9133

Dated: May 24, 2004

May-25-04 08:58am From:HBSR  
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EWM/kan  
May 25, 2004

1-978-341-0242

T-773 P.06/11 F-641

PATENT APPLICATION  
Attorney's Docket No.: 3028.1000-000  
Expedited Procedure under 37 C.F.R. § 1.116  
Examining Group 1632

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Applicant: Guy A. Rouleau and Bernard Brais  
Application No.: 09/590,211 Group: 1632  
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For: SHORT GCG EXPANSIONS IN THE PABII GENE FOR OCULOPHARYNGEAL  
MUSCULAR DYSTROPHY AND DIAGNOSTIC THEREOF

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office:	
on <u>5/25/04</u>	<u>Katie Norris</u>
Date	Signature
<u>Katie Norris</u>	
Typed or printed name of person signing certificate	

AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. § 1.116

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment After Final Rejection is being filed in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on March 11, 2004 in the above-identified application.

The undersigned attorney petitions the Commissioner for Patents to extend the time for filing a Brief on Appeal pursuant to the Notice of Appeal received in the U.S. Patent and Trademark Office on December 12, 2003 for four months, from February 12, 2004 to June 12, 2004, under 37 C.F.R. § 1.136(a).

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Applicants' Attorney is not filing a Brief on Appeal at this time, but is filing an Amendment After Final herewith.

Please amend the application as follows: